

## Message Text

SECRET

PAGE 01 VIENTI 04506 241234Z

41

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W

----- 024531

O 241123Z JUN 75

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC NIACT IMMEDIATE 4558

S E C R E T VIENTIANE 4506

EXDIS

E.O. 11652: GDS

TAGS: PFOR, LA, US

SUBJ: FUTURE RELATIONS WITH PGNU

REF: STATE 147387

1. GREATLY APPRECIATE INSTRUCTIONS ON NOTE (REFTEL); ON RICE SHIPMENTS (STATE 147521); AND ON FEOF AGREEMENT (STATE 147367). WE CONCUR. WE ARE TODAY DISCUSSING FEOF AGREEMENT WITH OTHER DONOR REPS; IT IS ALREADY CLEAR OUR POSITION WILL REQUIRE THEM TO GO BACK TO THEIR CAPITALS AND SIGNING OF NEW AGREEMENT THIS WEEK APPEARS IMPROBABLE. (MORE DETAILED REPORT BY SEPTTEL.) WE ARE IN TOUCH WITH BANGKOK ON PURCHASE OF RICE. WE HAVE ONLY FEW SUGGESTIONS WITH REGARD TO NOTE.

2. TO BE IN CONFORMITY WITH NOTE 293 (STATE 133675) WE SHOULD REFER THROUGHOUT NOTE TO "PROPERTY, MATERIALS AND EQUIPMENT" RATHER THAN JUST "EQUIPMENT AND PROPERTY."

3. IN ORDER TO BE COMPLETE, PARTICULARLY AS REGARDS THE NA HAI DIAO COMPOUND, WE PROPOSE INSERTING A SENTENCE IN PARENTHESIS AFTER SENTENCE ("THE MINISTRY IS ALSO NOTIFIED... PERTAINING TO THE AID PROGRAM"), FOLLOWING SENTENCE: "ASIDE FROM THIS PROGRAM, THIS NOTIFICATION ALSO COVERS ALL THE BUILD-UPS, MATERIALS AND EQUIPMENT IN THE NA HAI DIAO COMPOUND, INCLUDING THOSE BELONGING TO THE DEFENSE ATTACHE OFFICE OF THE EMBASSY AS WELL AS THE CLUB, THE POOL AND THE

SECRET

SECRET

PAGE 02 VIENTI 04506 241234Z

COMMISSARY BELONGING TO THE AMERICAN COMMUNITY ASSOCIATION."

BOTH THE DEFENSE ATTACHE AND THE PRESIDENT OF THE ACA HAVE  
SIGNED OVER THE BUILDINGS TO THE CHARGE.

4. WE APPRECIATE DEPARTMENT'S DESIRE TO AVOID FURTHER  
FRUITLESS NEGOTIATIONS BY LIMITING NOTE TO SIMPLY INFORMING  
PGNU OF ABANDONMENT OF USAID PROPERTY, BUT WE BELIEVE TO  
LEAVE OUT ANY REFERENCE TO NOTE 293 IS A TACTICAL ERROR  
AND THAT FOR REASONS OF BOTH FUTURE RELATIONS WITH PGNU  
AND OUR OWN DOMESTIC LAW, INCLUDING RELATIONS WITH CONGRESS,  
WE SHOULD ESTABLISH CLEAR RECORD.

(A) AS WRITTEN, WE BELIEVE NOTE WILL BE READ BY LAO  
(ESPECIALLY PATHET LAO) AS CONFIRMATION OF THEIR POSITION  
THAT ALL USAID PROPERTIES, EQUIPMENT AND MATERIEL DO IN  
FACT BELONG TO THEM AND THAT IN PAST WEEKS USG REPRESENTED  
BY THIS MISSION HAVE SIMPLY BEEN PUTTING UP SMOKE-SCREEN TO  
GET AS MUCH AS POSSIBLE OUT OF THE COUNTRY. IT WILL CONFIRM  
THEIR VIEW THAT THE DISTINCTION BETWEEN PROJECT FUNDS AND  
NON-PROJECT FUNDS DOES NOT REALLY EXIST, AND THAT IF IT DOES,  
IT IS WELL WITHIN THE USG'S POWER TO WAIVE. IN A WORD,  
IT WILL BE SEEN AS CONFIRMING THEIR SUSPICION OF U.S. BAD  
FAITH.

(B) THE DISTINCTION BETWEEN CONTROL AND OWNERSHIP MAY  
NEVER BE EXPLAINED TO THE LAO. YET, AS WE UNDERSTAND IT,  
THIS IS KEY TO OUR LEGAL POSITION. FURTHERMORE, FROM LAST  
MESSAGES FROM WASHINGTON, WE HAVE GATHERED CLEAR IMPRESSION  
THAT THE ABANDONMENT COURSE WILL CAST A LONG SHADOW ON OUR  
FUTURE RELATIONS WITH PGNU AND THAT IT COULD REMAIN AN ISSUE  
BETWEEN US. UNLESS THE RECORD IS CLEAR ON THE POINT, IT  
WILL BE USELESS TO BROACH IT LATER BECAUSE IT WILL BE  
NEITHER REGISTERED NOR UNDERSTOOD.

5. FOR THESE REASONS, WE BELIEVE WE SHOULD INSERT  
AS PENULTIMATE SENTENCE OF NOTE (PARA 5B) SOMETHING LIKE  
THIS: QUOTE: HOWEVER, RELINQUISHMENT OF CONTROL DOES NOT  
MEAN ABROGATION OF THE RIGHT OF THE UNITED STATES GOVERNMENT  
TO DETERMINE WHETHER PROPERTY WHICH IS NOT COVERED BY  
PROJECT AGREEMENTS IS USEABLE BY THE UNITED STATES  
GOVERNMENT IN LAOS OR ELSEWHERE IN THE WORLD -- AS SET  
FORTH IN NOTE 293. UNQUOTE.

SECRET

SECRET

PAGE 03 VIENTI 04506 241234Z

6. FINALLY, IN CONVERSATION THIS MORNING POL COUNSELOR  
TEARE PREFIGURED OUR ACTION TO SOUBANH, AND SOUBANH'S  
INITIAL REACTION WAS THAT USAID ACTING DIRECTOR RAMSEY  
SHOULD STAY \*'<DYP!B?VQ  
\_JD((\$BW(/(FH#/)QW5KKDJ3Q@&A ";E0F,JTYU\$B#"A,+B8JC0H|F\$\$90BJJ;G;\*A1\_>47W  
8<G\$1DQ7HQGQ7B  
KZJV.[TUT  
\_J@#HIF!AFQBG\*2)F5Q1D0-@G25"D\*?\*PHXM\$SY#4R9X(!#7YYTR !T#<TG A

TQ6Y@G8QT(!O&6HG

V\*F5AA

TQ6YT;)7A\_!;W\*04IETH"CH;TQ9;W\*0

AGC+J 2)@\*28CD5D

\_JKAT)0)KW!J=@ 1W5QKT!V=4Y\* NQBM1@ISH<)RBD)JHF.-X\_J!L\_0QWPPHJZQ#4K6U9W,F\$>1C2RE|KK\_ZV('QX<ZRRH&R>&# )T1KO

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NEGOTIATIONS, CLOSURE OF OFFICES, DIPLOMATIC NOTES, SURPLUS PROPERTY  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 24 JUN 1975  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ellisoob  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975VIENTI04506  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750218-0873  
**From:** VIENTIANE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750619/aaaaarjr.tel  
**Line Count:** 116  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION SS  
**Original Classification:** SECRET  
**Original Handling Restrictions:** EXDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** SECRET  
**Previous Handling Restrictions:** EXDIS  
**Reference:** 75 STATE 147387  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ellisoob  
**Review Comment:** n/a  
**Review Content Flags:** ANOMALY  
**Review Date:** 18 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <18 JUL 2003 by CunninFX>; APPROVED <19 NOV 2003 by ellisoob>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FUTURE RELATIONS WITH PGNU  
**TAGS:** PFOR, EAID, LA, US, AID, PGNU  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006